

Serious Sexual Offences
Total Sentence 15 Years and Above
Victims aged 16y or Older - NSW

Note: This table contains all cases where the total sentence is 15 years or greater.

Cases where the total sentence is 20 years or greater are also contained in the separate table:

Serious Sexual Offences – Total Sentence 20 Years or Above

Cases where the total sentence is greater than 10 years but less than 15 years are contained in the separate table:

Serious Sexual Offences – Total Sentence Over 10 Years

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
1.	Strong (25) NSWCCA 15.6.1984	2 x s.61D(1) s.61C(1)(a) s.61B(1)	PG	25y NPP 14y	AA 20y NPP 14y	Record includes sexual offences	(1983) – with co-offender approached 17y female in street and dragged her into graveyard – forced intercourse and punched complainant hard to head – broke into home of 83y female living alone – had been watching complainant for some days - punched complainant until unconscious – forced intercourse Alcohol problem

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2.	Brown (17)	3 x s.61D(1) s.61C(1)(a) Car stealing Abduction	PG	10y NPP 5y	22y NPP 14y	Record - breached probation Record – breached probation	(1984) – picked up 18y female seeking lift to hospital – drove to secluded area – punched complainant around face – forced vaginal intercourse, anal intercourse and fellatio – made threats to kill and seriously injure and forced violent and sexual indignities – stick forced into complainant’s vagina
	Carson (17) NSWCCA 2.7.1986	3 x s.61D(1) s.61C(1)(a) Car stealing Abduction	PG	10y NPP 5y	22y NPP 14y		
3.	Hynds NSWCCA 4.6.1991	Attempt murder 3 x s.61C(1)(b) 4 x s.61D(1) Attempt s.61D(1) Entice away for abduction	PG / VG	MT 17y AT 2y 6m (19y 6m NPP 17y)	AD	No priors of any significance.	Lied way into friend’s house and used knife to force wife to perform demeaning and humiliating sexual acts - husband returned during strangling – bailed – alcohol involved Enticed woman away by representing he was to take her to Sydney where husband involved in accident - sexual assault – much planning involved.
4.	Boatswain (28) NSWCCA 15.12.1993	7 x s.61J 2 x Rob Poss shortened firearm 2 x dishonesty Sched: Dishonesty offences	PG	MT 15y AT 8y (23y NPP 15y)	AD “worst type of case”	no detail but been to gaol most of time since 14y	Penile / vaginal, oral and anal intercourse - confronted 50y widowed doctor with gun in her home - tied to bed and sexually assaulted for twelve hours - left naked and bound to bed - 26 days later entered house of second complainant by skylight - produced knife and forced multiple sexual intercourse.

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5.	Scerri (25) NSWCCA 28.6.1994	5 x s.61D(1) s.61C s.94 s.61B	VG	MT 12y AT 4y (16y NPP 12y)	AD	Record – no sexual offences or custody	June – Sept 1989 - On three occasions grabbed young males walking at night – forced fellatio and anal intercourse – on two occasions assaulted complainants with rock
6.	Harrison (22) NSWCCA 20.2.1997	4 x s.61J s.80A(2) AOABH Sched: Assault	PG	MT 9y AT 3y	Crown AA MT 12y AT 4y (16y NPP 12y)	Qld - dishonesty and violence	Picked up complainant and friend hitch-hiking and drove them to secluded beach - assaulted complainant by placing string around throat and arm around neck - further bruises to both girls. Twelve months later picked up second complainant hitch-hiking - threatened complainant with knife and handcuffed her – fellatio - digital intercourse - forced complainant to insert own finger - various sexual and physical threats – more sexual assaults on beach offences committed over even hours. Two days later performed similar assaults on another woman in Queensland.
7.	Sharrock (45) [1999] NSWCCA 289	s.61I 2 x s.61J Att s.61J SMV s.112		MT 18y AT 4y	AA MT 16y AT 4y (20y NPP 16y)	Appalling	Broke into home of 80y lady in wheelchair – threatened with knife and sexually assaulted complainant – lesser assaults on two different complainants around same time – worst case No psychiatric illness or anti-social tendencies
8.	Presta (28) [2000] NSWCCA 40	21 x s.61J 5 x kidnapping Sched: 10 offences	PG	MT 14y 3m AT 4y 9m (19y NPP 14y 3m)	AD		Kidnapped 7 males at gunpoint, two only 15y - subjected complainants to sadistic sexual abuse and torture – filmed all offences.

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9.	Kay (45) [2000] NSWSC 716 Hulme J (2002) 132 A Crim R 72 [2002] NSWCCA 286	4 x s.61J Sched: 2 x s.61J 2 x s.61K	PG (10%)	20y NPP 15y	AD	minor sexual offences	Assaults committed on 8 complainants over 12 month period late at night - complainants threatened with knife and subjected to digital or penile penetration - offences premeditated and planned - observed by police stalking other women - no significant physical injuries inflicted. Significant risk of re-offending.
10.	Baker (48) [2001] NSWCCA 96	s.61J	PG	MT 12y AT 4y (16y NPP 12y)	AD	extremely bad record for sexual assaults	Anally raped a prostitute after threatening her with a knife, tying up her hands and gagging her.
11.	Daley (43) [2002] NSWSC 148 Simpson J [2003] NSWCCA 109	2 x s.61J 2 x s.97(1) 2 x s.90A Sched: 12 offences	PG	22y NPP 16y 6m	AD	minor	7 complainants over 22 months - accosted woman alone late at night, threatening with knife – used gag - used hands and/or penis to penetrate vaginally and engaged in other sexual acts including fellatio
12.	Johnston (36) [2002] NSWCCA 201	4 x s.112(2) s.109(2) s.61C(1) 7 x s.61I s.113(2)	PG	20y 6m NPP 16y 6m	AA 20y 6m NPP 15y	record for minor sexual offences	Multiple break and enter and sexual offences - broke into 3 houses and sexually assaulted female occupants - some complainants alone - one complainant 17y - multiple sexual assaults - broke into 4 other houses and stole or attempted to steal bags Protective custody - need for treatment and supervision - likelihood of re-offending
13.	To (29) [2002] NSWCCA 252	s.61D 9 x s.61J	VG	27y NPP 20y	AD		Broke into flats and sexually assaulted 4 complainants – one complainant 12y girl - threatened some complainants with knife

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14.	Hoang (18) [2003] NSWCCA 380	s.61JA s.90A s.112(2) Sched Acc After Fact BE	PG (25%)	15y NPP 11y 3m	AA 15y NPP 9y 3m	nil	With two co-offenders broke into home – threatened male complainants and female complainant with knives – took property – abducted female complainant and sexually assaulted her. Youth
15.	MAK (23) [2004] NSWSC 319 Sully J [2005] NSWCCA 369 [2006] NSWSC 237 Hidden J (2006) 167 A Crim R 159 [2006] NSWCCA 381	9 x s.61JA s.61J Sched: s.61L	VG PG (15%)	16y NPP 12y 9y NPP 4y <u>Total:</u> 19y NPP 14y	AD Crown AD	Nil	13.7.2002 16y and 17y females accompanied offenders to – had previously spent night unharmed - S was physically restrained by MMK - MSK slapped her face and produced a knife - forced into a bedroom - MSK entered with another knife - produced some bullets and mentioned a gun - threat to kill - forced penile/vaginal intercourse three times - MAK entered room – forced vaginal/penile intercourse on - threatened her with death if went to the police - G taken to different bedroom - MMK entered room carrying long bladed kitchen knife - forced G to fellate him and twice forced penile/vaginal intercourse - subjected to further sexual assault by RS - principal / accessorial liability 24.6.2002 14y female accompanied brothers to house – became intoxicated – taken to bedroom and sexually assaulted by MAK 20.1.2002 (indecent assault on schedule) - Took female complainant to bedroom and commenced kissing – touched breast and pubic area Emigrated to Australia from Pakistan while relatively young – lack of parental supervision – refusal to accept any wrongdoing – poor rehabilitation prospects.

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17.	MMK (16) [2004] NSWSC 319 Sully J [2005] NSWCCA 369 [2006] NSWSC 237 Hidden J (2006) 164 A Crim R 481 [2006] NSWCCA 272	9 x s.61JA s.66C(1) Sched: Ind ass Assault	VG PG	22y NPP 13y 12m (concurrent)	AD Crown AD	nil	13.7.2002 16y and 17y females accompanied offenders to – had previously spent night unharmed - S was physically restrained by MMK - MSK slapped her face and produced a knife - forced into a bedroom - MSK entered with another knife - produced some bullets and mentioned a gun - threat to kill - forced penile/vaginal intercourse three times - MAK entered room – forced vaginal/penile intercourse on - threatened her with death if she went to the police - G taken to different bedroom - MMK entered room carrying long bladed kitchen knife - forced G to fellate him and twice forced penile/vaginal intercourse - subjected to further sexual assault by RS - Principal / Accessorial liability 14.7.2002 Consensual intercourse with 13y complainant when aged 15 years 24.11.2001 Took 14y female to bedroom – squeezed breast and slapped her across face Emigrated to Australia from Pakistan while relatively young – lack of parental supervision – refusal to accept any wrongdoing – poor rehabilitation prospects.
18.	Brownlowe (44) [2004] NSWCCA 465	s.90A 5 x s.61J Ind Assault	VG	21y NPP 15y	AD	Lengthy – breached parole	With co-offender took female complainant off street and detained in house for 24h – threat to kill with gun and knife – forced complainant to consume drugs and alcohol – sexual assaulted Extremely dysfunctional childhood – stabbed as juvenile causing serious psychological problems
19.	Hajeid (18) [2005] NSWCCA 262	6 x s.61J 2 x s.90A 2 x s.61	VG	23y NPP 15y	AA 17y NPP 12y	Minor record	Two complainants met group of males at shopping centre – accepted marijuana and lift home – driven to park where forced to participate in numerous acts of oral intercourse - each repeatedly threatened and hit - males took turns in forcing oral sex then watching Unsuccessful conviction appeal: [2004] NSWCCA 74

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20.	Reyes (40) [2005] NSWCCA 218	Kidnapping 3 x Indecent Ass 4 x Admin stupefying drug 10 x s.61J 2 x Obt benefit by deception Steal from person Steal from dwelling	VG PG PG	13y NPP 10y	Crown AA 18y NPP 15y	Prior record for drugs and dishonesty	Accosted 18y female at knifepoint – detained over 20 hours – threats – injected with amphetamines 4 times – inserted dildo – forced complainant to take money from ATM – sexually assaulted (cunnilingus, fellatio, digital and penile penetration) Accosted 16y girl – bound and detained in complainant’s flat – threatened with knife – indecent assault – left in flat
21.	Chami (18) [2005] NSWCCA 299	s.61J s.90A	VG	18y NPP 10y 6m	AD	Nil	Complainant approached by five males – agreed to smoke marijuana and travelled with them to station – one offender detained complainant in toilet block and forced penile / vaginal intercourse – complainant sexually assaulted by other males – further sexual assaults at other locations including an industrial estate Unsuccessful conviction appeal: [2004] NSWCCA 36

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22.	B Skaf (18) [2005] NSWCCA 297 [2006] NSWSC 394 Mathews AJ [2008] NSWCCA 303	11 x s.61J 3 x s.90A 3 x s.61 Assault 2 x s.61M(1) Agg act of indecency 2 x Pervert course of justice 2 x s.61J	VG / PG VG	46y NPP 30y 18y NPP 12y <u>Total:</u> 38y NPP 32y	AA 28y NPP 22y 16y NPP 10y <u>Total:</u> 36y NPP 30y	Relatively minor record resulting in fines	<p>10.8.2000 - B Skaf / Hajeid / H / Mohamed Sanoussi / Ghanem Two complainants met group of males at shopping centre – accepted marijuana and lift home – driven to park where forced to participate in numerous acts of oral intercourse - each repeatedly threatened and hit - males took turns in forcing oral sex then watching</p> <p>30.8.2000 - B Skaf / Chami / M Skaf / H / Mahmoud Sanoussi / Mohamed Sanoussi Complainant approached by five males – agreed to smoke marijuana and travelled with them to station – one offender detained complainant in toilet block and forced penile / vaginal intercourse – complainant sexually assaulted by other males – further sexual assaults at other locations including an industrial estate</p> <p>Chronology: Unsuccessful conviction appeal: [2004] NSWCCA 74 Unsuccessful conviction appeal: [2004] NSWCCA 36</p> <p>Sentence appeal No error in finding offender had leadership role - offences not individually or collectively worst case category – parity – manifestly excessive – onerous custodial conditions – failure to state discount for guilty plea – factual error</p> <p>12.8.2000 - B Skaf / M Skaf Co-offender picked up 16y female friend for drive – driven to park and sexually assaulted by offender and third man – threatened with gun and assaulted – retrial – not worst case Earlier successful conviction appeal: (2004) 60 NSWLR 86 [2004] NSWCCA 37</p>

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23.	H (17) [2005] NSWCCA 282	Act of ind Assault Agg ind ass 4 x s.90A 3 x s.61J s.61I Sched: 6 related offences	PG (25%)	25y NPP 15y	AA 16y 6m NPP 12y	Minor	10.8.2000 - B Skaf / Hajeid / H / Mohamed Sanoussi / Ghanem Two complainants met group of males at shopping centre – accepted marijuana and lift home – driven to park where forced to participate in numerous acts of oral intercourse - each repeatedly threatened and hit - males took turns in forcing oral sex then watching 30.8.2000 - B Skaf / Chami / M Skaf / H / Mahmoud Sanoussi / Mohamed Sanoussi Complainant approached by five males – agreed to smoke marijuana and travelled with them to station – one offender detained complainant in toilet block and forced penile / vaginal intercourse – complainant sexually assaulted by other males – further sexual assaults at other locations including an industrial estate 4.8.2000 Groups of males approached 14y female on train – complainant surrounded and indecently assaulted – played leading role in first offence Mildly intellectually disabled and paranoid schizophrenic – one offence erroneously treated as aggravated offence – not worst category of offences – took into account adverse information outside statement of facts and without warning
24.	Mohamed Sanoussi (16) [2005] NSWCCA 323	3 x s.90A 4 x s.61J Rob in Co	PG (on appeal 25%)	21y 3m NPP 12y	AA 16y NPP 10y		10.8.2000 - B Skaf / Hajeid / H / Mohamed Sanoussi / Ghanem Two complainants met group of males at shopping centre – accepted marijuana and lift home – driven to park where forced to participate in numerous acts of oral intercourse - each repeatedly threatened and hit - males took turns in forcing oral sex then watching 30.8.2000 - B Skaf / Chami / M Skaf / H / Mahmoud Sanoussi / Mohamed Sanoussi Complainant approached by five males – agreed to smoke marijuana and travelled with them to station – one offender detained complainant in toilet block and forced penile / vaginal intercourse – complainant sexually assaulted by other males – further sexual assaults at other locations including an industrial estate

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25.	M Skaf (17) [2005] NSWCCA 298 [2006] NSWSC 394 Mathews AJ [2008] NSWCCA 303	2 x s.61J 2 x s.90A Sched: 4 offences Access before fact s.61J	VG VG	24y NPP 12y 15y NPP 7y 6m <u>Total:</u> 26y NPP18y 6m	AA 19y NPP 11y 12y NPP 6y <u>Total:</u> 23y NPP 17y	Nil relevant	30.8.2000 - B Skaf / Chami / M Skaf / H / Mahmoud Sanoussi / Mohamed Sanoussi Complainant approached by five males – agreed to smoke marijuana and travelled with them to station – one offender detained complainant in toilet block and forced penile / vaginal intercourse – complainant sexually assaulted by other males – further sexual assaults at other locations including an industrial estate Unsuccessful conviction appeal: [2004] NSWCCA 36 Sentence appeal Erroneous factual basis – fresh evidence of serious illness in custody 12.8.2000 - B Skaf / M Skaf Offender picked up 16y female friend for a drive – driven to park and sexually assaulted by co-offender and third man – threatened with gun and assaulted – retrial – not worst case Earlier successful conviction appeal: (2004) 60 NSWLR 86 [2004] NSWCCA 37
26.	McKechnie [2006] NSWCCA 13	s.37 Att to choke with intent s.61J	VG	15y NPP 11y	AD	Extensive prior convictions for violence – breached conditional liberty	Attacked female stranger walking on beach – forced head into sand and attempted to choke – digital and penile penetration
27.	S Aslett (18) [2006] NSWCCA 48	s.112(3) 3 x s.61JA	PG	24y NPP 17y	AA 20y NPP 13y	Nil	With three men broke into home unit – occupants tied up – property stolen – 16y daughter sexually assaulted over several hours by three men – offender forced fellatio twice and anal rape – serious injury Aboriginal – low intelligence – uncle was primary offender
28.	D Aslett (32) [2006] NSWCCA 49 [2006] NSWCCA 86	s.112(3) 6 x s.61JA Incite act of indec	VG	40y NPP 30y	AA 30y NPP 22y 6m	Lengthy – long periods in gaol or institutions since 10y – breached conditional liberty	With three men broke into home unit – occupants tied up – property stolen – 16y daughter sexually assaulted over several hours by three men – offender made complainant manipulate vagina then forced penile intercourse – other offenders forced fellatio, penile and anal rape – serious injury – primary offender – worst case category Aboriginal Second appeal corrected NPP

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29.	Doherty (38) [2006] NSWCCA 133	Agg BE and commit sexual offence 2 x Ind Assault 3 x s.61J Supply cannabis Sched: 5 offences	PG	17y NPP 12y	AA 15y NPP 10y	Extensive record	Broke into home unit and tied up 55y female occupant – penile intercourse and forced fellatio – found in possession of 2.2kg cannabis Disturbed background - totality
30.	Trindall (2007) 171 A Crim R 87 [2007] NSWCCA 119	3 x s.90A s.86(2)(b) s.86(1)(b) 6 x s.61J 3 x s.61I s.61K 2 x s.94	PG	23y 6m NPP 21y 6m	AD		Attacked 7 complainants over ten years – prostitutes and other vulnerable women – two complainants 7 months pregnant – lured to remote areas and tied up to trees - serious physical injuries – fellatio, anal intercourse and vaginal intercourse – one complainant penetrated with stick – threats to kill
31.	Ghanem (17) [2008] NSWCCA 4	2 x s.90A s.61I Assault 6 x s.61J(1)	VG	23y NPP 15y	AA 17y NPP 12y	Nil	10.8.2000 - B Skaf / Hajeid / H / Mohamed Sanoussi / Ghanem Two complainants met group of males at shopping centre – accepted marijuana and lift home – driven to park where forced to participate in numerous acts of oral intercourse - each repeatedly threatened and hit - males took turns in forcing oral sex then watching Appeal against conviction dismissed – [2004] NSWCCA 74 Original sentence linked to additional, unrelated sexual offences – appeal against conviction for those offences successful – [2004] NSWCCA 36 – acquitted on retrial Issue of parity with Hajeid

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32.	Leddin (26) [2008] NSWCCA 242	s.86(2) 3 x s.61J Sched offences	PG ("one-sixth")	16y NPP 12y	AA Same effective sentence imposed	Extensive – sexual offences – breached parole	Followed female walking home late at night – punched complainant and forced her into school yard – sexual assault over one hour – licked vagina and inserted tongue – penile intercourse – digital penetration – multiple acts of each – anal intercourse – threats to kill complainant and family
33.	Stephens (18) [2010] NSWCCA 93	s.86(2)(b) 3 x s.61J Sched: 3 x s.61I 3 other offences	PG (25%)	20y NPP 14y	18y NPP 12y	Dishonesty offences	While complainant working at party offender took her car keys and hid in boot of car – as complainant driving home in early hours of morning forced entry into car through rear seat and forced complainant into nearby street – locked car – forced masturbation – repeated penile penetration of anus – digital penetration of anus – repeated penile penetration of vagina – forced fellatio with full weight on complainant – digital penetration inserting full fist – repeated penile penetration of anus - throughout assault spoke in degrading manner ignoring screams of pain – complainant escaped through rear door while offender driving Offending out of character
34.	Cole (39) [2010] NSWCCA 227	s.61J s.86(1)	PG (25%)	16y NPP 12y	AD		Broke into home of 44y female with two young children late at night – suffering paranoid delusions and seeking to escape 'pursuers' – threatened complainant and young daughter – tied hands of complainant and blindfolded her – forced fellatio – sprayed with bleach to 'remove DNA' – stayed all night then demanded lift to another suburb – well towards upper range
35.	Van der Baan (25/26) [2012] NSWCCA 5	6 x s.61J s.97(1)	PG (25%)	17y 3m NPP 14y 3m	AA 15y 9m NPP 12y 9m	Sexual offences committed at similar time	(1995-6) – Arranged to meet 18y female acquaintance – walked complainant to park area and threatened her with knife – forced penile/vaginal intercourse, anal intercourse and fellatio – tied up complainant and stole property – 16m later grabbed 15y female walking along bridge in early evening – threatened with knife – forced fellatio, digital penetration and vaginal intercourse – each attack callous and degrading and caused significant psychological and physical injury Totality to sentence imposed for similar offences

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36.	JT [2012] NSWCCA 133	7 x s.61J s.61I 3 x s.35	VG	24y NPP 18y	AD	Violence – breached conditional liberty	Offences committed on 19y de facto over eight months – assaulted complainant with iron bar – forced mousse bottle into vagina – stabbed complainant with fork and chisel and forced intercourse – assaulted complainant with baseball bat and forced vaginal and anal intercourse – punched complainant causing broken jaw – assaulted complainant with iron bar and forced oral intercourse, fellatio and vaginal intercourse – deliberately cut leg of complainant with broken plate – assaulted complainant with hammer, bat and golf club forcing intercourse with electrical cord around neck Aboriginal
37.	Haines [2012] NSWCCA 238	s.111(2) s.86(3) 4 x Rob in Co 5 x s.61J 3 x s.61JA 2 x s.61L Sched: 4 offences	PG (15%)	25y NPP 18y	AD	Lengthy – breached parole for agg sexual assault offence	Three offenders forced entry into home of five international students – assaulted and threatened occupants and demanded money – co-offender armed with knife – sexually assaulted 21y female occupant in her bedroom over one hour – forced fellatio and vaginal intercourse – second vaginal intercourse conducted while co-offender forced fellatio – left room and later returned to continue assault – degrading and inhuman treatment and comments – refused to use condom when asked – circumstances of aggravation were infliction of ABH - ringleader – high end of mid-range Drug and alcohol addiction – completed sex offender course while previously in gaol – protection of community
38.	Piscitelli (24) [2013] NSWCCA 8	s.112(3) 2 x s.61J s.61L	PG (25%)	16y 6m NPP 11y 6m	AD	Record including minor sexual offences	Broke into home of 83y female at night – attempted penile penetration while complainant on stomach – digital penetration – forced complainant on to back and forced penile penetration – touched breast – bashed complainant's head against wall several times

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39.	Simon (37) [2013] NSWCCA 328	10 x s.61J 2 x Att s.61J s.113(2) 2 x s.61L s.97(1) s.86(1)(b) 2 x s.178BA	VG	22y NPP 17y	AA 22y NPP 16y	lengthy – including violent sexual offences	Followed 22y female stranger home – broke into unit and threatened complainant with knife – sexual assaults committed over several hours – penile / vaginal intercourse – penile / oral intercourse – attempted anal intercourse – threats to kill – carefully planned offence Serious danger to community
40.	Weatherall (31) [2013] NSWCCA 282	2 x s.61JA	VG	15y NPP 10y	AD	Prior old rob and wounding offence	Part of group of men who detained and sexually assaulted female drug addict who attended terrace house to purchase drugs – held complainant by hair and forced fellatio – offence committed in company – complainant forced to fellate second male – vulnerable complainant Aboriginal with deprived background -
41.	Keeley (29) [2014] NSWCCA 139	3 x s.61J s.95(1) Sched: s.61J s.61L	PG (25%)	15y NPP 12y	AD	break, enter and steal, larceny and PCA offences	Young female complainant walking home from work at 8pm approached by offender – forced her into alleyway with knife – digital and penile penetration – forced exposure of breasts and masturbation of offender – kissed complainant's breasts and forced penile intercourse again

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42.	Hurst (33 at offences, 42 at sentence) [2017] NSWCCA 114	s.61J(1) s.61N(2) s.59(1) s.86(2)(b) s.33 2 x s.33B(1)(a) 2 x s.61 Sched: 18 offences	PG	18y NPP 12y	AD	Resist arrest, AOABH, assault police, malicious damage, possess drug, contravene AVO, intimidation – breached bond, bail, and parole.	(2005-2006 offences) - offences committed on female partner – serious domestic violence context – sat on and used knife to make lacerations on her back – anal-penile intercourse – held waist area so tightly that fingers drew blood – each time complainant fell forward offender struck her to rear of head – suffered multiple bruises, burns and cuts – forced complainant to kiss offender's cousin's penis - brutality and violence associated with the offences - clear elements of gratuitous cruelty and sadism – assaulted complainant in public and private - violent actions directed towards controlling complainant - very worst aspects of domestic violence Drug abuse – depression.
43.	Simmons (18) [2019] NSWCCA 20	6 x s.61J Sched: 2 x s.61J	PG (25%)	18y NPP 12y	AA 15y NPP 10y	nil	Grabbed 22y female stranger walking along streets of country town in early evening – dragged complainant to river and sexually and physically assaulted her over one hour – punched in vagina – squeezed throat – bit face and breast – ripped out hair with teeth – forced penis into mouth – deep digital penetration of anus causing injury – penile and digital penetration of vagina – penile penetration of injured anus Aboriginal with deprived and violent childhood
44.	Sims (24 at offence) [2019] NSWCCA 232	GBH / GBH Att s.61J (ABH) Sched: Act of indecency	PG (12%)	15y NPP 10y	AD	nil prior – sexual offence of 15y girl subsequent	(1996) soldier told lies to 19y female met in club about knowing her boyfriend – left club with complainant then strike her to face causing serious injury and unconsciousness – moved complainant to dark embankment and attempted to sexually assault her – attempt only due to early ejaculation – left complainant on embankment – arrested after DNA match many years later – some degree of planning on the night - martial arts trained - above mid-range seriousness No evidence of rehabilitation – some evidence of mental illness

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45.	WG [2020] NSWCCA 155	16 x s.66A 2 x s.66C(2) 42 x s.61J(1) 7 x s.66C(4) 2 x s.61M(1) s.61O(1) 2 x s.61N(1) s.86(2)(b): Agg kidnapping	VG	48y NPP 36y	AD		(1988-2011) father committed 73 offences against daughter aged 5-19y – acts often accompanied by extreme violence – spouse and mother of complainant acted as co-accused – offences took place in a shed on family property - family heavily involved in athletics - WG acted as coach for the complainant and her sisters. 13 x s.61J offences committed when complainant 16-18y s.86 offence committed when complainant 19y
46.	Singh (39) [2021] NSWCCA 96	s.86(2) s.35(4) 3 x s.61J Sched: 2 x s.61J 2 x s.61L	PG (10%)	15y NPP 9y	AD	Nil	Detained 22y female housemate in her bedroom with 20cm knife for several hours – during initial struggle complainant stabbed in arm causing serious injury – oral sex, forced fellatio and digital intercourse – forced complainant to rub offender’s penis and rubbed penis over genital area - threatened to kill himself - made some attempt to treat complainant’s wound – vicious, selfish and insidiously cruel – sexual offences mid-range and slightly below mid-range Suffering severe depressive episode and effects of personality disorder – some diminished moral culpability – remorse – genuine desire but guarded prospects of rehabilitation On appeal – errors made in use of schedule offence in assessing objective gravity but no lesser sentence warranted
47.	Barrett [2021] NSWSC 126 Wilson J	6 x s.61J Att s.61J 3 x s.61L Sched: 2 x s.61L 3 x s.61J	PG (10%)	20y NPP 12y		Nil at time	2017 sentenced for brutal stabbing murder of female houseguest – fresh evidence subsequently found on USB – filmed brutal and prolonged sexual assault of complainant prior to stabbing after binding her to bed with tape – most serious example of offence of this nature – cruel and inhuman – planning – use of hunting knife as threat Sexual sadist – importance of specific deterrence and protection of community Sentence imposed partially concurrent to existing sentence for murder

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	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
48.	Irmak Dagdanasar [2021] NSWCCA 178	s.61JA(1) 5 x s.61J(1) s.61JA(1) 5 x s.61J(1)	VG	26y NPP 18y 24y NPP 16y	AD	Criminal history disentitled him to leniency	Three male strangers picked up intoxicated 18y female on street after school formal and after formal party – took complainant to house where she was given alcohol and drugs and sexually assaulted over more than twelve hours – anal and vaginal intercourse and fellatio – four acts of intercourse committed by I – one act committed by D - two acts committed by third male - s.61JA offence based on infliction of actual bodily harm during anal intercourse – s.61J counts based on offences committed in company – all offence in upper mid-range – third offender left jurisdiction and never apprehended D - no subjective information provided on appeal I – no evidence of rehabilitation or remorse – breached conditional liberty
49.	Hall (49) [2021] NSWCCA 220	3 x 61J(1) s.86(2)(b) 5 x s.61I Sched: 7 x s.61I	PG (25%)	22y NPP 16y 6m	AD	Limited criminal record.	Attacked female partner – tied hands behind back, prevented from leaving house over 12 hour period – fellatio, vaginal-penile intercourse – threatened with pliers and hammer - used knife to inflict cut to complainant's thigh – struck complainant - sustained, brutal, terrifying attack - multiple humiliating and degrading sexual acts. Childhood deprivation; <i>Bugmy</i> .
50.	Ragg [2022] NSWCCA 150	4 x 61J(1) s.86(2)(b) s.61 s.35(4) Intimidation s.47 2 x s.33(1)(b) Contravene AVO Threaten witness	PG	24y NPP 18y	AD	Extensive history for personal violence offences, contravening AVO, stalking, intimidation, assault, reckless wounding, threaten witness, BES	“One of the most extreme cases of sadistic sexual violence perpetrated against a woman seen in this Court” - attacked female partner over 11-hour period - attempted to burn complainant - brutally physically and sexually assaulted - left complainant in a deserted area bleeding – complainant required surgery. History of family breakdown and State intervention – childhood sexual abuse - overall intellectual functioning in bottom 2% - Mild Intellectual Development Disability – Antisocial Personality Disorder - Substance Use Disorder – <i>Bugmy</i> principles – rehabilitation extremely poor - risk of reoffending medium–high CCA: error in applying wrong Maximum Penalty for Intimidation offence and Standard Non-Parole periods for s.33(1)(b) offences – however, no lesser sentence warranted

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	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
51.	Baker (31) [2022] NSWCCA 195	5 x s.61J(1) 3 x s.61M(1)	VG	19y NPP 13y 4m	AD	Breached bond – added 4m to total sentence No other prior convictions	Picked up 17y female stranger walking along road late at night – complainant cognitively impaired and had left home of step-mother – drove complainant to bush reserve and sexually assaulted her for 20-30 mins – fondled vagina and breasts and forced her to hold penis – digital and penile intercourse – anal intercourse – forced fellatio – forced complainant into water to wash off evidence – told her not to tell anyone – aware of cognitive impairment Suffering PTSD from violent kidnapping and assaulted several years earlier
52.	Carreno (19 at offence; 42 at sentence) [2023] NSWCCA 20	2 x s.61J (in company) s.112(3) Sched: s.148 2 x s.61J	PG (10%)	16y NPP 12y	AD	Robbery, firearms, driving.	(1988) Home invasion with two co-offenders – stole various items - armed and wearing balaclavas - violent assault of male occupant - violent sexual assault of female occupant; digital and penile-vaginal penetration by applicant who was the first to assault complainant; further sexual assault by co-offender using barrel of gun; firearm pointed at head, head covered, hit to head number of times - both victims threatened with death unless they handed over money – victims' hands and ankles tied with electrical cord; mouths gagged – 2017 DNA linked to offence - gratuitous, opportunistic – intention on entering home was to steal. Guarded as to genuineness of remorse and prospects of rehabilitation. CCA: Applicant sought to establish manifest excess ground by reference to indicative sentence for s.112(3) offence.

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	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
53.	Packer (39) [2023] NSWCCA 87	7 x s.611 Attempt s.611 s.91KC(a) sexual touching s.91R(2) Threaten distribute intimate image s.91Q(1) Distribute intimate image s.91P(1) Record intimate image Threaten distribute intimate image	VG PG (5%)	12y 8m NPP 8y	Crown AA 17y NPP 12y	Yes – no details. Convicted of offences 15m after arrest and while on bail for present offences: BE, kidnapping, aggravated attempts sexual intercourse without consent.	Offences against two female complainants from overseas on visas – complainants moved into respondent's home to work as live-in housekeeper - offences in respondent's home. Complainant NB: gave alcohol, penile-vaginal, fellatio on six occasions - offences accompanied by threats to disseminate covertly recorded video to complainant's parents overseas — sent video to person who knew complainant. Complainant FP: grabbed breasts, intercourse. Not satisfied of good prospects of rehabilitation or unlikely to re-offend - PTSD, depressive disorder, substance use disorder. CCA: SJ failed to give weight to significant emotional harm to NB (s 21A(2)(g) CSPA). Overall criminality high level – two complainants, number of offences, dissemination offences, period of offending, extent of physical and emotional abuse, particularly of NB. Special circumstances – first time custody.
54.	Gabrieli (36) [2023] NSWCCA 204	11 x s.61L 6 x s.611 s.86(1)(b) s.61J	VG	18y NPP 13y	AD	Minor – domestic violence, assault and property damage resulting in bond	Offences committed against four female complainants over five months – contacted each complainant through dating app and brought her to his apartment – sexual intercourse offences included forced fellatio, cunnilingus and digital and penile penetration – one complainant detained in apartment to dissuade her from making report – systematic, highly premeditated and carefully planned Born in France – childhood of violence and poverty

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55.	Benn (23-27) [2023] NSWCCA 24	2 x s.66C(3) s.66EB 21 x s.61I 5 x s.61J 4 x s.61L	PG (25%)	40y NPP 30y	AA 35y NPP 26y 3m	Nil	Offences committed on 14 females aged 15-28y over four years – met complainants through social media – met complainants for social interaction then forced various forms of sexual activity and intercourse against consent - first complainant aged 15y – several complainants assaulted in their homes using violence and threats – offending escalated over time Lack of insight and remorse – no causal connection between offending and mental health issues – good character of little value On appeal: misstated maximum penalty for one offence – resulted in excessive indicative sentence for finding of objective seriousness

Last updated: September 2023

Offence	Section	Status	Maximum Penalty
Maliciously inflicts GBH with intent to have sexual intercourse	s.61B	14.7.1981 – 17.3.1991	20 years
Inflict / Threaten actual bodily harm with intent to have sexual intercourse	s.61C(1), (2)	14.7.1981 – 17.3.1991	12 years
Sexual intercourse without consent	s.61D(1)	14.7.1981 – 17.3.1991	7 years increased to 8 years 21.2.1988
Sexual intercourse without consent in company	s.61D(1B)	21.2.1988 – 17.3.1991	10 years
Sexual intercourse without consent	s.61I	17.3.1991 - Active	14 years
Aggravated sexual assault	s.61J	17.3.1991 - Active	20 years
Aggravated sexual assault in company	s.61JA	1.10.2001 - Active	Life
Inflict / Threaten actual bodily harm with intent to have sexual intercourse	s.61K	17.3.1991 - Active	20 years
Indecent assault	s.61L	17.3.1991 – 1.12.2018	5 years
Aggravated indecent assault (victim with a cognitive impairment)	s.61M(1)	17.3.1991 – 1.12.2018	7 years
Act of indecency on person 16y or above	s.61N(2)	1.7.1995 – 1.12.2018	18 months
Sexual intercourse with child between 10y and 16y	s.66C(1)	23.3.1986 - 13.6.2003	8 years
Sexual intercourse with child of or above 14y and below 16y	s.66C(3)	13.6.2003 - Active	10 years
Aggravated sexual intercourse with child of or above 14y and below 16y	s.66C(4)	13.6.2003 - Active	12 years
Procuring child under 16 years for unlawful sexual activity	s.66EB(2)	18.1.2008 - Active	12 years – 15 years if child under 14y
Record intimate image without consent	s.91P	25.8.2017 - Active	3 years

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